

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

DEON CARTER, an individual, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

C&S WHOLESALE GROCERS INC., a  
Vermont Corporation; TRACY LOGISTICS  
LLC DBA STOCKTON LOGISTICS LLC, a  
Delaware Limited Liability Company; and  
DOES 1 TO 50,

Defendants.

CASE NO. 2:22-cv-02165-KJM-AC

**ORDER GRANTING STIPULATION TO  
FURTHER EXTEND DEFENDANTS'  
DEADLINE TO RESPOND TO SECOND  
AMENDED COMPLAINT TO AFFORD  
PLAINTIFF LEAVE TO FILE THIRD  
AMENDED COMPLAINT**

**ORDER**

Having reviewed and considered the Parties' Stipulation to Further Extend Defendants' Deadline to Respond to Second Amended Complaint to Afford Plaintiff Leave to File Third Amended Complaint (the "Stipulation"), and good cause appearing for the relief requested therein, the Stipulation shall be and hereby is **GRANTED** as follows, using the same defined terms as defined and used in the Stipulation:

1. Defendants' time within which to serve and file any motions, pleadings, or other filings responsive to Plaintiff's SAC shall be and hereby is extended up to and including April 27, 2023;

2. Plaintiff is hereby granted leave to file the proposed TAC attached to the Stipulation as Exhibit A;


3. Plaintiff shall promptly file the TAC as a separate document in the Court's CM/ECF System, in accordance with L.R. 220;

4. Defendants shall file a response to the TAC within twenty-eight (28) days from the date on which Plaintiff files the TAC; and

5. By entering into the Stipulation, the Parties do not waive and expressly reserve all claims, defenses, and challenges in this action, including, without limitation, as to arbitration of Plaintiff's and/or any putative class member's individual claims and any motion(s) pursuant to Fed. R. Civ. P. 12 as to Plaintiff's TAC and any subsequent amended pleading and/or the claims asserted therein.

**IT IS SO ORDERED.**

Dated: April 12, 2023.

  
CHIEF UNITED STATES DISTRICT JUDGE